

646. In this case, the Defendant John Doe Host Hospitals in each venture are those hospitals who have contracted with a specific UOL Partnership for the provision of lithotripsy equipment and, in some cases, a skilled technician as well.

647. Each Defendant John Doe Host Hospital is in a venture in which it knowingly and willfully offered and paid remuneration, by way of contracting with a specific UOL Partnership, to the Defendant John Doe Urologists who own such Lithotripsy Partnership, for the provision of lithotripsy services and made payments for such lithotripsy services that exceeded fair market value for such services and that reflected the volume and/or value of business generated between the Defendant John Doe Host Hospital, the Defendant John Doe Urologists and the Defendant John Doe UOL Partnerships owned by such John Doe Urologists.

648. Additionally, the payments made by the Defendant John Doe Host Hospitals to the John Doe UOL Partnership under contract to such Host Hospitals were made to induce referrals of other health care business from the John Doe Urologists to the John Doe Hospitals.

649. The Defendant John Doe Urologists coerced the Defendant John Doe Host Hospitals into contracting with the UOL Partnership that these John Doe Urologists own to perform lithotripsy as a mobile service by threatening to take both their federal healthcare business and their private pay healthcare business elsewhere if the Defendant John Doe Host Hospitals would not enter into contracts with their Lithotripsy Partnership.

650. By falsely billing, as set forth in this Complaint, the Defendant John Doe Host Hospitals knowingly receive payments from the U.S. that were kickbacks.

651. Each Defendant John Doe UOL Partnership receives kickbacks from the Defendant John Doe Host Hospitals as payments for referral health care business paid by federal health care programs to the Defendant John Doe Host Hospitals.

652. The Defendant John Doe Urologists, the Defendant John Doe Syndicators, and the Defendant John Doe Management Companies, each of whom participated knowingly, actively facilitated the arrangement that provided these kickbacks.

653. Realtor brings this action for violations of the FCA on behalf of herself and the United States of America pursuant to 31 U.S.C. § 3730(b)(1), the State of Illinois pursuant to the Illinois Whistleblower Reward and Protection Act, 740 Ill. Comp. Stat. § 1753(a)(1)(2), the State of Indiana pursuant to the Indiana False Claims and Whistleblower Protection Act – IC 5-11-5.5-1 *et seq.* and the state of Michigan Medicaid False Claims Act, MCLA § 400.601 *et seq.*

654. At all times relevant hereto, the defendants acted through their agents and employees and the acts of defendants' agents and employees were within the scope of their agency and employment. The policies and practices alleged in this Complaint were, on information and belief, set or ratified at the highest corporate levels of each Defendant Syndicator, each Defend

COUNT I

False Claims Act - Presentation of False Claims by the Defendant Host Hospitals

655. Relator realleges and incorporates paragraphs 1 - 654 of this Complaint as if fully set forth herein.

656. In performing the acts described above, Defendants through their own acts or through the acts of their officers, employees, or agents knowingly and/or recklessly presented, or caused to be presented, to an officer or employee of the United States Government, false or fraudulent claims for payment or approval in violation of 31 U.S.C. § 3729(a)(1).

657. The United States, unaware of the foregoing circumstances and conduct of the Defendants, made full payments, which resulted in its being damaged in an amount to be determined.

COUNT II
False Claims Act - False Statements

658. Relator realleges and incorporates paragraphs 1 - 654 of this Complaint as if fully set forth herein.

659. In performing the acts described above, Defendants through their own acts or through the acts of their officers, knowingly made, used or caused to be made or used, a false record of statement to get false or fraudulent claims paid or approved by the Government in violation of 31 U.S.C. §3729(a)(2).

660. The United States, unaware of the foregoing circumstances and conduct of the Defendants, made full payments which resulted in its being damaged in an amount to be determined.

COUNT III
Unjust Enrichment

661. Relator realleges and incorporates paragraphs 1 - 654 of this Complaint as if fully set forth herein.

662. This is an action to recover monies by which Defendants have been unjustly enriched. Due to Defendants' improper practice, the United States paid monies by which Defendants have been unjustly enriched.

663. By reason of its payments, the United States is entitled to damages in an amount to be determined.

COUNT IV
Reverse False Claims

664. Relator realleges and reincorporates paragraphs 1 - 654 of this Complaint as if fully set forth herein.

665. In performing the acts described above, Defendants knowingly used false records and statements to conceal the obligation to reimburse the federal Government and the State of Illinois for monies improperly retained, in violation of 31 U.S.C. §3729(a)(7).

666. Through Defendants' actions of improperly retaining funds to which they are not entitled, the United States has been deprived of the use of these monies and is entitled to damages in an amount to be determined.

COUNT V

Illinois Medicaid False Claims Act - Presentation of False Claims

667. Relator realleges and incorporates paragraphs 1 - 654 of this Complaint as if fully set forth herein.

668. In performing the acts described above, Defendants through their own actions or through the acts of their officers, knowingly presented, or caused to be presented, to an officer or employee of the Illinois State Government fraudulent claims for payment in violation of 740 Ill. Comp. Stat. § 175/3(a)(1).

669. In performing the acts described above, Defendants, through the acts of its officers, knowingly made or caused to be made or used a false record or statement to get a false claim paid or approved by the Illinois State Government in violation of 740 Ill. Comp. Stat. § 175/3(a)(2).

670. The State of Illinois, unaware of the foregoing circumstances and conduct of the Defendants, made full payments, which resulted in its being damaged in an amount to be determined.

671. The State of Illinois is entitled to the maximum penalty of \$10,000 for each and every false or fraudulent claim, record or statement made, used, presented, or caused to be made, used or presented by Defendants, as well as treble damages and penalties.

672. In performing the acts described above, Defendants through their own actions or through the acts of their officers, knowingly presented, or caused to be presented, to an officer or employee of the Illinois State Government fraudulent claims for payment in violation of 740 Ill. Comp. Stat. § 175/3(a)(1).

673. In performing the acts described above, Defendants, through the acts of its officers, knowingly made or caused to be made or used a false record or statement to get a false claim paid or approved by the Illinois State Government in violation of 740 Ill. Comp. Stat. § 175/3(a)(2).

674. The State of Illinois, unaware of the foregoing circumstances and conduct of the Defendants, made full payments, which resulted in its being damaged in an amount to be determined.

675. The State of Illinois is entitled to the maximum penalty of \$10,000 for each and every false or fraudulent claim, record or statement made, used, presented, or caused to be made, used or presented by Defendants, as well as treble damages and penalties.

COUNT VI
Indiana Medicaid False Claims Act IC 5-11-5.5-1 et seq.

676. Relator realleges and incorporates paragraphs 1 – 654 of this Complaint as if fully set forth herein.

677. In performing the acts described above, Defendants, through the acts of its officers, knowingly made or caused to be made or used a false record or statement to get a false claim paid or approved by the State of Indiana in violation of the Indiana False Claims and Whistleblower Protection Act, IC 5-11-5.5-1 et seq.

678. The State of Indiana, unaware of the foregoing circumstances and conduct of the Defendants, made full payments, which resulted in its being damaged in an amount to be determined.

679. The State of Indiana is entitled to treble damages and civil recoveries for each and every false or fraudulent claim, record or statement made, used, presented, or caused to be made, used or presented by the Defendant.

COUNT VII

Michigan Medicaid False Claims Act, MCLA § 400.601 et seq.

680. Relator realleges and incorporates paragraphs 1 - 654 of this Complaint as if fully set forth herein.

681. In performing the acts described above, Defendants through their own actions or through the acts of their officers, employees and agents, knowingly presented, or caused to be presented, to the Michigan State Government fraudulent claims for payment in violation of MCLA § 400.601 et seq.

682. In performing the acts described above, Defendants, through the acts of its officers, agents and employees knowingly made or caused to be made or used a false record or statement to get a false claim paid or approved by the Michigan State Government in violation of MCLA §400.604.

683. The state of Michigan, unaware of the foregoing circumstances and conduct of the Defendants, made full payments, which resulted in its being damaged in an amount to be determined.

684. The state of Michigan is entitled to treble damages and civil recoveries for each and every false or fraudulent claim, record or statement made, used, presented, or caused to be made, used or presented by Defendants.

PRAYER FOR RELIEF

WHEREFORE, Relator respectfully requests that this Court enter judgment against Defendants as follows:

a. That the United States be awarded damages in the amount of three times the damages sustained by the United States because of the false claims and fraud alleged in this Complaint, as the Civil False Claims Act, 31 U.S.C. § 3729 et seq. provides;

b. That civil penalties of \$5,500 to \$11,500 be imposed for each and every false claim that the Defendants caused to be presented to the United States;

c. That civil monetary penalties of \$100,000 be imposed against each defendant for entering into an arrangement that has a principal purpose of circumventing the prohibition on referrals set out in the Stark law;

d. That pre- and post-judgment interest be awarded, along with reasonable attorneys' fees, costs, and expenses which Relator necessarily incurred in bringing and pressing this case;

e. That Relator be awarded the maximum amount allowed pursuant to the False Claims Act;

f. That the State of Illinois be awarded damages in the amount of three times the damages sustained by the State of Illinois because of the false claims and fraud alleged in this Complaint, plus a civil penalty of \$10,00 for each violation of 740 Ill. Comp. State. § 175/3(a).

g. That necessary expenses, costs, and reasonable attorney's fees be awarded as provided by the Illinois Medicaid False Claims Act;

h. That the State of Indiana be awarded damages in the amount of three times the damages sustained by the State of Indiana because of the false claims and fraud alleged in this Complaint, plus a civil penalty of \$10,00 for each violation of 740 Ill. Comp. State. § 175/3(a).

i. That necessary expenses, costs, and reasonable attorney's fees be awarded as provided by the Indiana Medicaid False Claims Act;

j. That the state of Michigan be awarded damages in the amount of three times the damages sustained by the state of Michigan because of the false claims and fraud alleged within this Complaint, plus the maximum amount of civil penalties allowed under the law for each violation of the Michigan Medicaid False Claims Act, MCL § 400.607(1).

k. That necessary expenses, costs, and reasonable attorney's fees be awarded as provided by the Michigan Medicaid False Claims Act;

l. That Relator be awarded the maximum amount allowed pursuant to the False Claims Act and the equivalent provisions of the state statutes as set forth herein; and

m. That necessary expenses, costs, and reasonable attorney's fees be awarded as provided by the Michigan Medicaid False Claims Act;

n. That Relator be awarded the maximum amount allowed pursuant to the Michigan Medicaid False Claims Act, and;

o. That this Court award such other and further relief as it deems proper

DEMAND FOR A JURY TRIAL

Relator demands a jury trial on all claims alleged herein.

Dated:

October 21, 2010

By:


Monica P Navarro (P52985)

Suzanne D. Nolan (P57210)

Louis C. Szura (P71763)

Frank, Haron, Weiner and Navarro

5435 Corporate Drive, Ste. 225

Troy, MI 48098-2624

mnavarro@fhwnlaw.com

lszura@fhwnlaw.com

snolan@fhwnlaw.com

(248) 592-0400

Attorneys for Relator

Robin Potter, Esq.

Denise M. Quimby, Esq.

ROBIN POTTER & ASSOCIATES, P.C.

111 E. Wacker Drive, Ste. 2600

Chicago, IL 60601

(312) 861-1800

CIVIL COVER SHEET

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS

United States of America, et al. ex rel. Anne E. Mitchell

DEFENDANTS

United Medical Systems (DE), Inc., et al.

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant **Worcester, MA**

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Robin Potter & Associates, P.C.
111 E. Wacker Drive, Ste. 2600
Chicago, IL 60601 (312) 861-1800

OCT 21 2010

Attorneys (If Known)

MICHAEL W. DOBBINS**CLERK, U.S. DISTRICT COURT****II. BASIS OF JURISDICTION**

(Place an "X" in One Box Only)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

(For Diversity Cases Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

- Citizen of This State ☒ 1 ☐ DEF 1
- Citizen of Another State ☐ 2 ☐ 2
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3
- Incorporated or Principal Place of Business In This State ☐ 4 ☐ 4
- Incorporated and Principal Place of Business In Another State ☐ 5 ☒ 5
- Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES | |
|--|--|--|--|---|---|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excl. vet.) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Inj. | PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 850 Security/Commodity/Exch. <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input checked="" type="checkbox"/> 890 Other Statutory Actions |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 ADA—Employment <input type="checkbox"/> 446 ADA—Other <input type="checkbox"/> 440 Other Civil Rights | PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus: General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition | | | |

1:10-cv-06793**Judge James F. Holderman****Magistrate Judge Jeffrey T. Gilbert****V. ORIGIN**

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

False Claims Act, 31 U.S.C. 3729, et seq., Illinois False Claims Act

VII. PREVIOUS BANKRUPTCY MATTERS

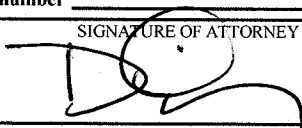
(For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary.)

VIII. REQUESTED IN COMPLAINT:☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23**DEMAND \$**

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**IX. This case**☒ is not a refiling of a previously dismissed action.☐ is a refiling of case number _____, previously dismissed by Judge _____DATE **10/21/10**

SIGNATURE OF ATTORNEY OF RECORD



**U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS
ATTORNEY APPEARANCE FORM**

NOTE: In order to appear before this Court an attorney must be admitted to the standing of this Court's general bar or be granted admission by Local Rules 83.12 through 83.14.

1:10-cv-06793

**Judge James F. Holderman
Magistrate Judge Jeffrey T. Gilbert**

In the Matter of

United States of America, et al. ex rel. Anne E. Mitchell

v.

United Medical Systems (DE), Inc., et al.

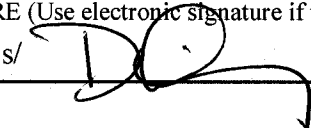
AN APPEARANCE IS HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY FOR:

Anne E. Mitchell

p **FILED**

OCT 21 2010

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

| | |
|---|----------------------------------|
| NAME (Type or print) Denise M. Quimby | |
| SIGNATURE (Use electronic signature if the appearance form is filed electronically) s/  | |
| FIRM Robin Potter and Associates, P.C. | |
| STREET ADDRESS 111 East Wacker Drive, Suite 2600 | |
| CITY/STATE/ZIP Chicago, Illinois, 60601 | |
| ID NUMBER (SEE ITEM 3 IN INSTRUCTIONS) 6286565 | TELEPHONE NUMBER 312-861-1800 |
| ARE YOU ACTING AS LEAD COUNSEL IN THIS CASE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| ARE YOU ACTING AS LOCAL COUNSEL IN THIS CASE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| ARE YOU A MEMBER OF THIS COURT'S TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| IF THIS CASE REACHES TRIAL, WILL YOU ACT AS THE TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| IF THIS IS A CRIMINAL CASE, CHECK THE BOX BELOW THAT DESCRIBES YOUR STATUS. RETAINED COUNSEL <input type="checkbox"/> APPOINTED COUNSEL <input type="checkbox"/> | |

**U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS
ATTORNEY APPEARANCE FORM**

NOTE: In order to appear before this Court an attorney standing of this Court's general bar or be granted leave by Local Rules 83.12 through 83.14.

1:10-cv-06793

Judge James F. Holderman

Magistrate Judge Jeffrey T. Gilbert

In the Matter of

United States of America, et al. ex rel. Anne E. Mitchell

v.

United Medical Systems (DE), Inc., et al.

AN APPEARANCE IS HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY FOR:

Anne E. Mitchell

FILED

OCT 21 2010

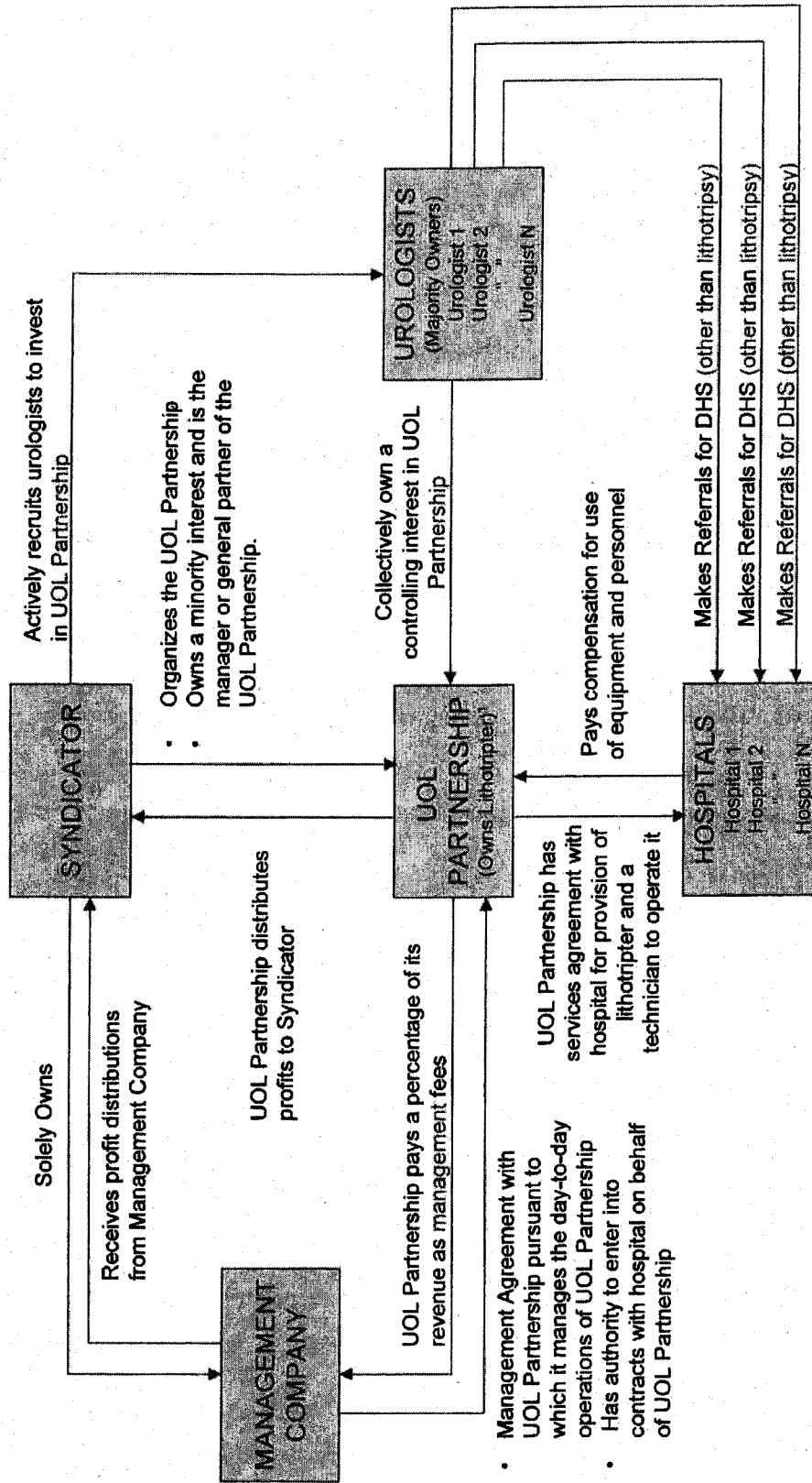
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

| | |
|---|----------------------------------|
| NAME (Type or print) Robin Potter | |
| SIGNATURE (Use electronic signature if the appearance form is filed electronically) s/ <i>Robin Potter</i> | |
| FIRM Robin Potter and Associates, P.C. | |
| STREET ADDRESS 111 East Wacker Drive, Suite 2600 | |
| CITY/STATE/ZIP Chicago, Illinois, 60601 | |
| ID NUMBER (SEE ITEM 3 IN INSTRUCTIONS) 3123932 | TELEPHONE NUMBER 312-861-1800 |
| ARE YOU ACTING AS LEAD COUNSEL IN THIS CASE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| ARE YOU ACTING AS LOCAL COUNSEL IN THIS CASE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| ARE YOU A MEMBER OF THIS COURT'S TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| IF THIS CASE REACHES TRIAL, WILL YOU ACT AS THE TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |
| IF THIS IS A CRIMINAL CASE, CHECK THE BOX BELOW THAT DESCRIBES YOUR STATUS. RETAINED COUNSEL <input type="checkbox"/> APPOINTED COUNSEL <input type="checkbox"/> | |

A

Exhibit A

Structure of Business Model for Delivery of Lithotripsy Services Under Arrangements Standard Model - Syndicator Owns Interest in UOL Partnership

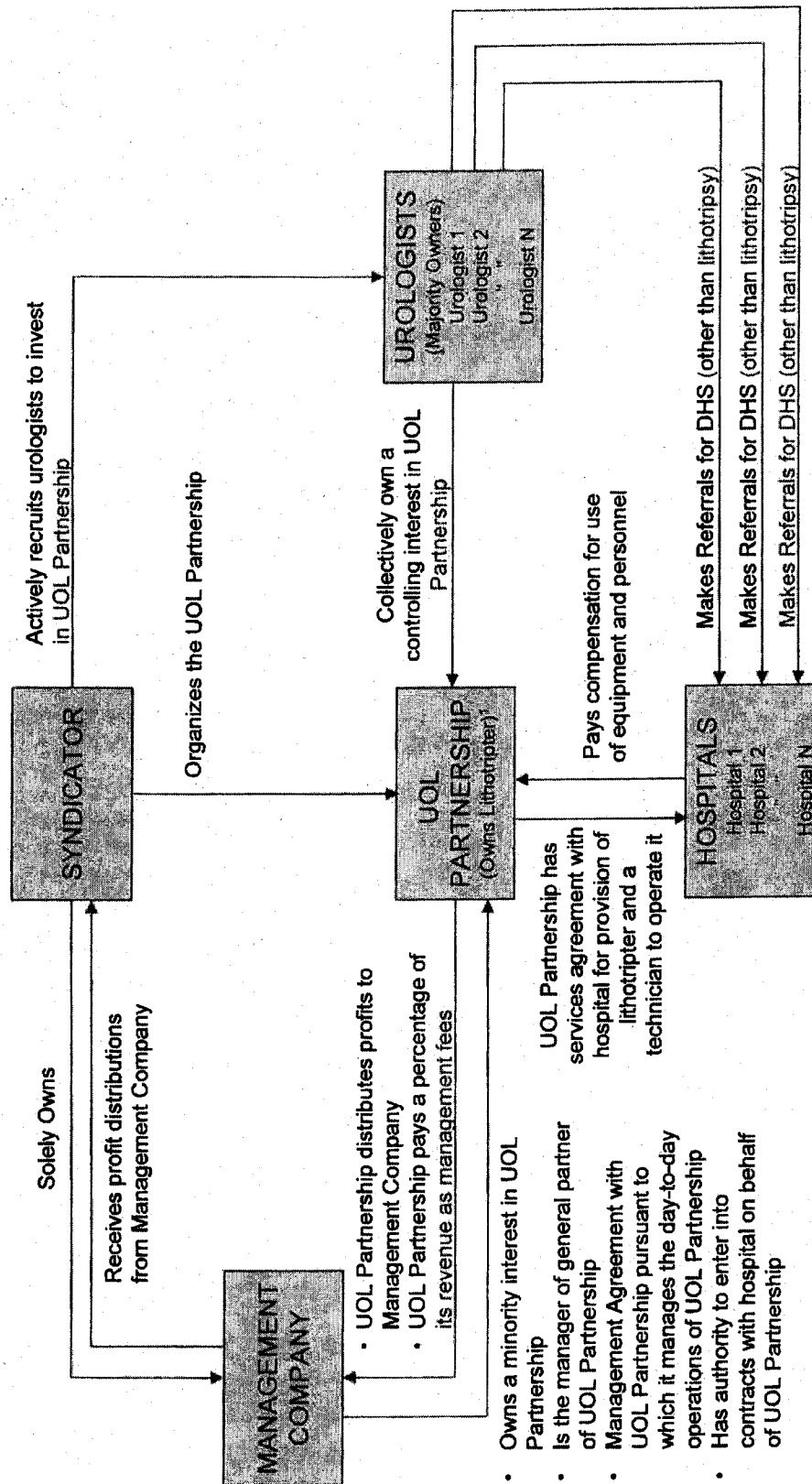


¹In some arrangements the Syndicator or Management Company rents the lithotripter to the UOL Partnership and gives the UOL Partnership the right to sublease it. The Syndicator or Management Company in its role as lessor, receives rent from the UOL Partnership.

B

Exhibit B

Structure of Business Model for Delivery of Lithotripsy Services Under Arrangements Standard Model – Management Company Owns Interest in UOL Partnership



¹In some arrangements the Syndicator or Management Company rents the lithotripter to the UOL Partnership and gives the UOL Partnership the right to sublease it. The Syndicator or Management Company in its role as lessor, receives rent from the UOL Partnership.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the **COMPLAINT** was filed *in camera* and *under seal* pursuant to the False Claims Act and was served upon the following parties on this 21st day of October, 2010, by delivery or noted and addressed as follows:

Eric J. Holder, Esq.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, N.W., Room 4400
Washington, D.C. 20530-0001

Linda A. Wawzenski, Esq.
Assistant U.S. Attorney and Deputy Chief
Civil Division - Illinois
Eastern Division of the Northern District
United States Attorney's Office
219 South Dearborn - Room 500
Chicago, Illinois 60604

Patrick Keenan, Esq.
Assistant Attorney General and
Chief, Medicaid Fraud Bureau
Office of the Illinois Attorney General
100 West Randolph Street - 12th Floor
Chicago, Illinois 60601


Robin Potter

FILED

OCT 21 2010

**IN THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF ILLINOIS**

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Suppressed,

Plaintiffs,

v.

Suppressed,

Defendants.

1:10-cv-06793

Judge James F. Holderman

Magistrate Judge Jeffrey T. Gilbert

) **FILED IN CAMERA AND UNDER SEAL**
) **PURSUANT TO 31 U.S.C. §3730(b)(2)**
)

NOTICE OF FILING

To: Eric J. Holder, Esq.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, N.W.,
Room 4400
Washington, D.C. 20530-0001

Linda A. Wawzenski, Esq.
Assistant U.S. Attorney and
Deputy Chief
United States Attorney's Office
219 South Dearborn - Room 500
Chicago, Illinois 60604

Patrick Keenan, Esq.
Assistant Attorney General and
Chief, Medicaid Fraud Bureau
Office of the Illinois Attorney General
100 West Randolph Street - 12th Flr
Chicago, Illinois 60601

PLEASE TAKE NOTICE THAT on October 21, 2010, I filed with the United States District Court for the Northern District of Illinois, Eastern Division, **RELATOR'S QUI TAM COMPLAINT, *in camera and under seal***, a true and correct copy of which is attached hereto and is hereby served upon you



One of Plaintiff's Attorneys

Robin Potter, Esq.
Denise M. Quimby, Esq.
ROBIN POTTER & ASSOCIATES, P.C.
111 E. Wacker Dr., Suite 2600
Chicago, Illinois 60601
(312) 861-1800
robin@potterlaw.org
denise@potterlaw.org

Robin Potter, Esq.
Denise M. Quimby, Esq.
ROBIN POTTER & ASSOCIATES, P.C.
111 E. Wacker Dr., Suite 2600
Chicago, Illinois 60601
(312) 861-1800
robin@potterlaw.org
denise@potterlaw.org

TERMED

**United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 4.2 (Chicago)
CIVIL DOCKET FOR CASE #: 1:10-cv-06793
Internal Use Only**

Suppressed v. Suppressed
Assigned to: Honorable James F. Holderman
Cause: 28:1331 Federal Question

Date Filed: 10/21/2010
Date Terminated: 01/05/2011
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question



Plaintiff

Suppressed

V.

Defendant

Suppressed

| Date Filed | # | Docket Text |
|------------|--|---|
| 01/05/2011 |  <u>1</u> | TRANSFERRED to the Eastern District of Michigan the original file certified copy of transfer order, and docket sheet via FedEx Express tracking number 8708 9696 4322. (hp,) (Entered: 01/05/2011) |
| 01/05/2011 |  | (Court only) ***Civil Case Terminated. (hp,) (Entered: 01/05/2011) |

A TRUE COPY - ATTEST
MICHAEL W. DOBBINS, CLERK
BY: Hayden Harbush
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS
DATE: 01-05-2011

United States District Court, Northern District of Illinois

| | | | |
|---|--|---|------------|
| Name of Assigned Judge or Magistrate Judge | James F. Holderman | Sitting Judge if Other than Assigned Judge | |
| CASE NUMBER | 10 C 6793 | DATE | 12/17/2010 |
| CASE TITLE | USA and Various States ex rel Mitchell vs. United Medical Systems (DE), Inc. | | |

DOCKET ENTRY TEXT

Government's agreed ex parte motion to transfer venue and to extend seal is granted. ENTER ORDER: It is ordered that the United States is given until December 20, 2011 to intervene and the case will remain under seal until December 20, 2011. Further, this case is transferred under seal to the United States District Court for the Eastern District of Michigan.

■ [For further detail see separate order(s).]

Notified counsel by telephone.

Courtroom Deputy
Initials:

AMM

United States District Court for the Northern District of Illinois

Revised 03/11/2008

Case Number: 10CV6793

Assigned/Issued By: DAJ

Judge Name: HOLDERMAN

Designated Magistrate Judge: GILBERT

FEE INFORMATION

Amount Due: ☒ \$350.00 ☐ \$39.00 ☐ \$5.00
☐ IFP ☐ No Fee ☐ Other _____
☐ \$455.00

Number of Service Copies _____ Date: _____

(For use by Fiscal Department Only)

Amount Paid: 350.00

Receipt #: 4624048843

Date Payment Rec'd: 10/21/10

Fiscal Clerk: DAJ

ISSUANCES

| | |
|---|---|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Alias Summons |
| <input type="checkbox"/> Third Party Summons | <input type="checkbox"/> Lis Pendens |
| <input type="checkbox"/> Non Wage Garnishment Summons | <input type="checkbox"/> Abstract of Judgment |
| <input type="checkbox"/> Wage-Deduction Garnishment Summons | _____ |
| <input type="checkbox"/> Citation to Discover Assets | (Victim, Against and \$ Amount) |
| <input type="checkbox"/> Writ _____ | <input type="checkbox"/> Other _____ |
| (Type of Writ) | (Type of issuance) |

_____ Original and _____ copies on _____ as to _____
(Date)

10 CV 6793
Suppressed - v - Suppressed



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

MICHAEL W. DOBBINS
CLERK

January 5, 2011

(312) 435-5691

David J. Weaver, Court Administrator/Clerk of Court
Attn: Andrea Teets
231 W. Lafayette Blvd.
Detroit, MI 48226

RE: Suppressed vs Suppressed
USDC Case No.: 10 C 6793


Dear Clerk,

Pursuant to the order entered by the Honorable Chief Judge James F. Holderman on December 17, 2010 certified and transmitted to the U.S District Court for the Eastern District of Michigan the complete original record consisting of one sealed envelope along with original minute order and transfer order and certified copy of docket sheet, via FedEx Express tracking number 8708 9696 4322.

Please acknowledge receipt of any paper documents on the enclosed copy of this letter.

Sincerely yours,

Michael W. Dobbins, Clerk

By: 
s/Haydee Pawlowski
Deputy Clerk

Enclosures

New Case No. _____

Date _____